

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**RICHARD SAWYER,**

**Petitioner,**

**v.**

**No. 14-cv-0260 JB/SMV**

**JOHN SANCHEZ and ATTORNEY GENERAL  
OF STATE OF NEW MEXICO,**

**Respondents.**

**ORDER**

This matter is before the Court sua sponte under rule 4 of the Rules Governing Section 2254 Cases, on Petitioner's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus, and on his Motion for Leave to Proceed under 28 U.S.C. § 1915 [Doc. 2]. The motion will be granted, and it appearing that the Petition may not be subject to summary dismissal,

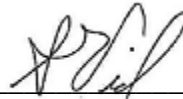
**IT IS THEREFORE ORDERED** that Petitioner's motion to proceed under 28 U.S.C. § 1915 [Doc. 2] is **GRANTED**, and Petitioner may proceed without prepayment of costs or other fees or the necessity of giving security therefor;

**IT IS FURTHER ORDERED** that the Clerk is directed to forward copies of this Order and the Respondents;

**IT IS FURTHER ORDERED** that Respondents answer the Petition within thirty (30) days from entry of this Order. Respondents' answer(s) shall advise, but not be limited to, whether the Petitioner has exhausted his state court remedies as to the issues raised in the federal petition.

Respondents shall attach to its answer(s) copies of any pleading pertinent to the issue of exhaustion that Petitioner filed in the sentencing court, the state district court, the state court of appeals, and the state supreme court, together with copies of all memoranda filed by both parties in support of or in response to those pleadings. Respondents also shall attach to the answer(s) copies of all state court findings and conclusions, docketing statements, and opinions issued in Petitioner's state court post-conviction or appellate proceedings. The answer(s) must describe the procedural history of each claim that Respondent contends is unexhausted and identify the State procedures that are currently available to Petitioner.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**